PATENT Attorney Docket No. 13784US02

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In the App | olication of:        | ) | <b>CERTIFICATE OF MAILING</b>                |
|------------|----------------------|---|--|
|            |                      | ) |  |
| Uri Elz    | ur                   | ) | I hereby certify that this correspondence is |
|            |                      | ) | being deposited with the United States       |
| Serial No. | 10/651,459           | ) | Postal Service as first class mail in an     |
|            |                      | ) | envelope addressed to: Mail Stop             |
| Filed: Au  | igust 29, 2003       | ) | Amendment, Commissioner for Patents,         |
|            |                      | ) | P.O. Box 1450, Alexandria, VA 22313-         |
| For: SY    | STEM AND METHOD FOR  | ) | 1450 on 1/31/06                              |
| HA         | ANDLING OUT-OF-ORDER | ) | <del>-13.7</del>                             |
| FR         | AMES                 | ) |  |
|            |                      | ) |  |
| Examiner:  | Nguyen, Brian D.     | Ś | By:  |
|            |                      | ) | Christopher C. Winslade                      |
| Group Art  | Unit: 2661           | ) | Reg. No. 36,308                              |
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|            |                      |   |  |

# TRANSMITTAL OF SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AFTER APPLICATION FILING DATE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

#### **ENCLOSURES**

Enclosed are the following:

- \* A completed PTO/SB/08A which has one (1) page, with a copy of same.
- \* A copy of each printed or patented reference listed in the enclosed form PTO/SB/08A and not previously provided to or by the PTO in this application. Two (2) documents are enclosed.
- \* A copy of the European Search Report for the European application, No. 04001850.9 corresponding to the above application.

### FEE DETERMINATION

\* No fee is believed to be due because:

In accordance with 37 CFR §1.97(e), each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this statement.

#### **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

\* No fee is believed to be due.

However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 13-0017, in the name of McAndrews, Held & Malloy.

### REQUEST FOR CONSIDERATION

- \* This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.
- \* This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.
- \* The Examiner is requested to initial both copies of the enclosed PTO/SB/08A and return one copy to the applicants to indicate consideration of the enclosed references.

Respectfully submitted,

Dated: 1/31/06

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PTO/SB/08A (08-03)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of Sheet

| Complete if Known      |                  |  |  |  |
|------------------------|------------------|--|--|--|
| Application Number     | 10/651,459       |  |  |  |
| Filing Date            | 8-29-2003        |  |  |  |
| First Named Inventor   | Elzur            |  |  |  |
| Group Art Unit         | 2661             |  |  |  |
| Examiner Name          | Nguyen, Brian D. |  |  |  |
| Attorney Docket Number | 13784US02        |  |  |  |

|          | U.S. PATENT DOCUMENTS |   |                  |                             |  |  |
|----------|-----------------------|---|------------------|-----------------------------|--|--|
| Examiner | Cite                  | Document Number                             | Publication Date | Name of Patentee or         | Pages, Columns, Lines, Where Relevant Passages or Relevant |  |
| Initial* | No. <sup>1</sup>      | Number-Kind Code <sup>2</sup><br>(if known) | MM-DD-YYYY       | Applicant of Cited Document | Figures Appear   |  |
|          | A1                    | US-5,588,000 A                              | 12-24-1996       | Rickard et apl              |  |  |
|          | A2                    | US-6,496,481 A                              | 12-17-2002       | Wu et al                    |  |  |
|          | A3                    | US-6,434,620 A                              | 08-13-2002       | Boucher et al               |  |  |
|          | A4                    |   |                  |                             |  |  |
|          | A5                    |   |                  |                             |  |  |
|          | A6                    |   |                  |                             |  |  |
|          | A7                    |   |                  |                             |  |  |
|          | A8                    |   |                  |                             |  |  |
|          | A9                    |   |                  |                             |  |  |
|          | A10                   |   |                  |                             |  |  |
|          | A11                   |   |                  |                             |  |  |
|          | A12                   |   |                  |                             |  |  |

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| FOREIGN PATENT DOCUMENTS |       |   |                  |                             |   |    |
|--------------------------|-------|---|------------------|-----------------------------|---|----|
| Examiner                 | Cite  | Foreign Patent Document   | Publication Date | Name of Patentee or         | Pages, Columns, Lines,                                | T6 |
| Initials*                | No. 1 | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) MM-DD-YYY |                  | Applicant of Cited Document | Where Relevant Passages<br>or Relevant Figures Appear | '  |
|                          | A13   | WO-01/92997 A   | 12-06-2001       | Science Applications        |   |    |
|                          |       |   |                  | Corporation                 |   |    |
| ·                        | A14   | WO-02/19604 A   | 03-07-2002       | Qualcomm Inc.               |   |    |
|                          | A15   |   |                  |                             |   |    |
|                          | A16   |   |                  |                             |   |    |
|                          | A17   |   |                  |                             |   |    |

| OTHER ART NON PATENT LITERATURE DOCUMENTS |                          |  |  |  |
|---|--------------------------|--|--|--|
| Examiner<br>Initials*                     | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published |  |  |
|   | A18                      |  |  |  |
|   | A19                      |  |  |  |
|   | A20                      |  |  |  |
|   | A21                      |  |  |  |
|   | A22                      |  |  |  |

| EXAMINER  | DATE CONSIDERED |  |
|-----------|-----------------|--|
| SIGNATURE |                 |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 2See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1800-786-9199) and select option 2.